

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X	
UNITED STATES OF AMERICA	:	
	:	19-CR-862 (VEC)
-against-	:	
	:	<u>ORDER</u>
DIEGO MATEO, JUPANKY PIMENTEL,	:	
WILLIAM GONZALEZ, RICARDO	:	
RICUARTE, RAUL CUELLO, PAUL CUELLO,	:	
	:	
Defendants.	:	
-----	X	

VALERIE CAPRONI, United States District Judge:

WHEREAS on July 20, 2021, Defendants Diego Mateo, Jupanky Pimentel, and William Gonzalez appeared for a status conference;

WHEREAS at the conference, Defense counsel reported that their clients are facing difficulties reviewing the discovery at Essex County Correctional Facility, due to limited computer access;

WHEREAS on July 15, 2021, the Court ordered Defense counsel for the six Defendants detained at Essex to update the Court on their clients' access to Telmate Tablets by no later than July 23, 2021, Dkt. 473;

WHEREAS at the hearing, the Government reported that Telmate Tablets are not primarily used to review discovery;

WHEREAS on July 7, 2021, the Court ordered the Government to propose new trial groupings by July 23, 2021 and set a deadline of July 30, 2021 for any objections by Defendants to the newly proposed groupings, Dkt. 463; and

WHEREAS time has been excluded in this matter until December 31, 2021;


IT IS HEREBY ORDERED that by no later than **Friday, July 23, 2021**, the Government must speak with officials at Essex County Correctional Facility and update the Court about the

ability of the six Defendants detained at the facility to review discovery. The update should include whether the only computers that Defendants may use are in the law library and how often Defendants may access computers. Although the Court understands that the Telmate Tablets are not designed to upload data from thumb drives, the Court would like to understand whether the discovery in this case — or at least portions of it — may be loaded onto the Telmate Tablets in a different manner for review by Defendants. Defense counsel for the six Defendants detained at Essex must file a joint response to the Government's update by no later than **Friday, July 30, 2021**. Defense counsel's response must include whether counsel has been able to resolve discovery access issues, any remaining problems, and proposed remedies. Defense counsel's July 23, 2021 deadline to respond to the Government's previous update about the Telmate Tablets, *see* Endorsement Dkt. 473, is canceled.

IT IS FURTHER ORDERED that pretrial motions in this matter are due no later than **Wednesday, September 22, 2021**, responses in opposition are due no later than **Wednesday, October 20, 2021**, and replies in support of the motions are due no later than **Wednesday, October 27, 2021**. If a hearing is required, the date will be set after briefing is complete. The Court plans to schedule a trial in this matter for the first or second quarter of 2022. Once the Court has confirmed a trial date, the Court will enter a briefing schedule for motions *in limine*, requests to charge, and proposed *voir dire* questions.

**SO ORDERED.**

**Dated: July 21, 2021**  
**New York, NY**

  
\_\_\_\_\_  
**VALERIE CAPRONI**  
**United States District Judge**